

PTO/SB/01 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**Declaration
Submitted
With Initial
Filing

OR

Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number

01-9424

First Named Inventor

Ardizzone

COMPLETE IF KNOWN

Application Number

10/087,135

Filing Date

28 Feb 02

Art Unit

3736

Examiner Name

VENIAMINOV, Nikita R.

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

BI-AXIAL ROTATING MAGNETIC THERAPEUTIC DEVICE

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

02/28/2002

as United States Application Number or PCT International

Application Number

10/087,135

and was amended on (MM/DD/YYYY)

07/26/2002

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

(Page 1 of 2)

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/01 (06-03)

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number: 25189 OR <input checked="" type="checkbox"/> Correspondence address below			
Name DANIEL M. CISLO			
Address 233 WILSHIRE BLVD., SUITE 900			
City SANTA MONICA		State CA	ZIP 90401
Country USA	Telephone 310-451-0647	Fax 310-394-4477	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) VINCENT		Family Name or Surname ARDIZZONE	
Inventor's Signature			Date
Residence: City PORT JEFFERSON	State NEW YORK	Country USA	Citizenship USA
Mailing Address 9 STUARTS COURT			
City PORT JEFFERSON	State NEW YORK	ZIP 11777	Country USA
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) THOMAS		Family Name or Surname BOVE	
Inventor's Signature <i>Thomas A Bove</i>			Date <i>Nov. 3, 2003</i>
Residence: City SPOKANE	State WASHINGTON	Country USA	Citizenship USA
Mailing Address EAST 17, 625 EAST EUCLID AVENUE			
City SPOKANE	State WASHINGTON	ZIP 99216	Country USA
<input type="checkbox"/> Additional inventors or a legal representative are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			

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Country USA	Telephone 310-451-0647	Fax 310-394-4477	
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NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) VINCENT		Family Name or Surname ARDIZZONE	
Inventor's Signature <i>Vincent Ardizzone</i>		Date Nov. 3, 2003	
Residence: City PORT JEFFERSON	State NEW YORK	Country USA	Citizenship USA
Mailing Address 9 STUARTS COURT			
City PORT JEFFERSON	State NEW YORK	ZIP 11777	Country USA
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Inventor's Signature		Date	
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City SPOKANE	State WASHINGTON	ZIP 99216	Country USA
<input type="checkbox"/> Additional inventors or a legal representative are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			

PATENT
Appl. No. 10/087,135
Amdt. dated October 30, 2003
01-9424

Customer Number
25189
PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:
ARDIZZONE, Vincent

Serial Number: 10/087,135 Examiner: VENIAMINOV, Nikita
Filed: February 28, 2002 Art Unit: 3736

For: **BI-AXIAL ROTATING MAGNETIC THERAPEUTIC DEVICE**

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.48
CORRECTION OF INVENTORSHIP

Dear Sir:

I, Thomas Bove, am a co-inventor of the Bi-Axial Rotating Magnetic Therapeutic Device, which is the subject of a utility patent application filed February 28, 2002, and is identified as application number 10/087,135.

I hereby request that the inventorship of the Bi-Axial Rotating Magnetic Therapeutic Device be corrected to reflect that I am a co-inventor.

I hereby declare that the error in inventorship occurred without deceptive intent on my part.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under § 1001 of Title 18 of the United States Code

PATENT
Appl. No. 10/087,135
Amdt. dated October 30, 2003
01-9424

(18 U.S.C. § 1001) and that such willful false statements may jeopardize the validity of the present application or any patent issuing thereon.

Nov 3, 2003
Date

Thomas Bove
Thomas Bove

Respectfully submitted,

CISLO & THOMAS LLP

Nov 4
Date: October, 2003

Daniel M. Cislo
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Reg. No. 32,973
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DMC/ASJ/mfn

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P A T E N T A S S I G N M E N T

This assignment made on March 14th, 2002 by Vincent Ardizzone of Miller Place, New York (Assignor) to Nu-Magnetics, Inc. having a place of business at Post Office Box 572, Port Jefferson, New York 11777-0572 (Assignee);

WHEREAS, Assignor has invented a new, original and useful invention entitled **BI-AXIAL ROTATING MAGNETIC THERAPEUTIC DEVICE** (Invention), for which a United States patent application was filed on February 28, 2002, further identified by his/their attorneys', Cislo & Thomas LLP's, docket number Docket No. 01-9424;

WHEREAS, Assignor believes himself to be the original, first, and sole inventor of the Invention(s) disclosed and claimed in said Patent Application; and

WHEREAS, Assignee desires to acquire by formal, recordable assignment his entire right, title, and interest in and to said Invention(s), and said Patent Application in the United States and throughout the world.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby sells, assigns, and transfers to Assignee, his entire right, title, and interest in and to said Invention(s), and said Patent Application for said Invention(s) in the United States and throughout the world, including the right to file foreign applications directly in the name of Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties, or otherwise.

Further Assignor agrees that, upon request and without further compensation,

but at no expense to Assignor, he and his legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing, or enforcing said Patent Application in the United States and throughout the world for said Invention(s), and for perfecting, recording, or maintaining the title of Assignee, he successors and assigns, to said Invention(s), and said Patent Application filed, and any patents granted for said Invention(s) in the United States and throughout the world.

Assignor represents and warrants that he has not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignor authorizes and requests the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Patent granted for said Invention(s), whether on an application for said Invention(s), said Patent Application, or on any subsequently filed provisional, non-provisional, divisional, continuation, continuation-in-part, reissue, or other application, to Assignee, its successors and assigns, as the assignee of his entire interest in said Invention(s).

IN WITNESS WHEREOF, Assignor has executed this Assignment on the date first above written and as set forth below.

"Assignor"

Date: March 14, 2002


Vincent Ardizzone